

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-14 are currently pending. Claims 11-14 are hereby added. Claims 1, 10 and 11 are independent. Claims 1 and 10 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-7 and 9-10 were rejected under 35 U.S.C. §102 as allegedly anticipated by U.S. Patent No. U.S. Patent No. 6,259,946 to Higo et al. (hereinafter, merely Higo).

In view of the amendments herein, Applicants respectfully traverse this rejection.

Independent claim 1, as amended, is representative and recites, *inter alia*:

“a sheet member . . . having a property for allowing said gel to permeate therein,

...

wherein, when said gel is disposed on said sheet member in the region to receive the gel, the retention force resulting from the permeated portion of the gel is sufficient to retain the gel in the region to receive the gel.” (emphases added)

As understood by the Applicants, Higo discloses an iontophoresis device. The Office Action points to FIGS. 1-4 and identifies support (2) as corresponding to the sheet member of the present invention. However, Higo does not disclose that the support (2) has particular properties with respect to the gel.

\ In contrast, claim 1 recites, “a sheet member . . . having a property for allowing said gel to permeate therein . . . wherein, when said gel is disposed on said sheet member in the region to receive the gel, the retention force resulting from the permeated portion of the gel is sufficient to retain the gel in the region to receive the gel.”

That is, the sheet member is made of a material that the gel can permeate. The partial permeation of the gel into the sheet member creates a retention force between the gel and the sheet member. Pub. App. pars. [0023], [0024] and [0026]. The present invention claims a particular composition of the sheet member at least in the area to receive the gel. It is part of Applicants’ invention to combine a sheet member into which a gel can permeate as part of the iontophoresis device. This characteristic of the recited composition of the sheet meneber at least distinguishes the present iontophoresis device from that disclosed in Higo.

Thus, claim 1 is patentable over Higo because that reference does disclose each and every element recited in the claim. In particular, Higo does not disclose a sheet member “having a property for allowing said gel to permeate therein . . . wherein, when said gel is disposed on said sheet member in the region to receive the gel, the retention force resulting from the permeated portion of the gel is sufficient to retain the gel in the region to receive the gel” as recited in claim 1.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 10 and 11 are also believed to be patentable.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claim 8 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Higo in view of U.S. Patent No. 6,731,987 to McAdams et al. (hereinafter, merely “McAdams”).

Applicants respectfully traverse this rejection.

Claim 8 depends from claim 1 and should be allowable for at least the same reasons as claim 1 discussed above. McAdams does not add the feature missing from Higo.

IV. NEW CLAIMS

Independent claim 11 is believed patentable over Higo and McAdams for substantially the same reasons as discussed above in regard to claim 1.

Dependent claim 12 characterizes the sheet member as a nonwoven fabric. Support is found throughout the specification and, for example, in the Pub. App. par. [0022].

Dependent claim 13 adds the feature that the sheet member “covers completely the electrode layer in the region of the electrode layer to receive the gel.” See, for example, FIGS. 1 and 2 and Pub. App. pars. [0021]-[0024].

Dependent claim 14 characterizes the sheet member of claim 11 by reciting, “the retention force resulting from the permeated portion of the gel is sufficient to retain the gel on the electrode device when the electrode device is any position.” Thus, a portion of the gel permeates into the sheet member to create a retention force to retain the gel to the sheet member. That is, the gel does not fall out when the iontophoresis device is turned, for example, upside down. Pub. App. par. [0023].

V. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1-14 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

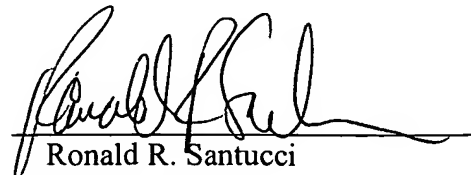
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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